

JOINT RULES RESOLUTION ESTABLISHING INTERIM**COMMITTEE RULES**

2019 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This joint rules resolution establishes rules governing legislative committees that meet during the interim.

Highlighted Provisions:

This resolution:

- ▶ defines terms;
- ▶ establishes interim committees and provides for the appointment of interim committee members and interim committee chairs;
- ▶ creates procedural rules for legislative committees that are not standing committees, including requirements related to quorum, voting, meeting location, meeting date, meeting time, order of business, and motions;
- ▶ provides the powers and duties of a chair;
- ▶ addresses the powers and duties of an interim committee, including the process by which an interim committee receives study assignments and the manner in which an interim committee reports on the results of its studies;
- ▶ provides that a legislative committee may open one or more committee bill files and adopt one or more committee bills;
- ▶ allows a legislative committee to hold an electronic meeting;
- ▶ authorizes a legislative committee to create one or more subcommittees;
- ▶ addresses the manner in which a legislative committee considers draft legislation;
- and
- ▶ makes technical and conforming changes.

Special Clauses:

None

Legislative Rules Affected:

32 AMENDS:

33 **JR1-1-102**

34 **JR4-2-102**

35 ENACTS:

36 **JR7-1-101**

37 **JR7-1-102**

38 **JR7-1-201**

39 **JR7-1-202**

40 **JR7-1-203**

41 **JR7-1-204**

42 **JR7-1-301**

43 **JR7-1-302**

44 **JR7-1-303**

45 **JR7-1-304**

46 **JR7-1-305**

47 **JR7-1-306**

48 **JR7-1-307**

49 **JR7-1-308**

50 **JR7-1-309**

51 **JR7-1-310**

52 **JR7-1-311**

53 **JR7-1-312**

54 **JR7-1-401**

55 **JR7-1-402**

56 **JR7-1-403**

57 **JR7-1-404**

58 **JR7-1-405**

59 **JR7-1-406**

60 **JR7-1-407**

61 **JR7-1-408**

62 **JR7-1-409**

63 **JR7-1-410**
64 **JR7-1-411**
65 **JR7-1-501**
66 **JR7-1-502**
67 **JR7-1-503**
68 **JR7-1-504**
69 **JR7-1-505**
70 **JR7-1-506**
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77 **JR7-1-601**
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86 **JR7-1-610**
87 **JR7-1-611**
88 **REPEALS:**
89 **IR1-1-101**
90 **IR1-1-201**
91 **IR1-1-202**
92 **IR1-1-203**
93 **IR2-1-101**

94 **IR2-1-102**
95 **IR2-2-101**
96 **IR2-2-102**
97 **IR2-2-103**
98 **IR2-2-104**
99 **IR3-1-101**
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101 **IR3-1-103**
102 **IR3-1-104**
103 **IR3-1-105**
104 **IR3-2-101**
105 **IR3-2-102**
106 **IR3-2-201**
107 **IR3-3-101**
108 **IR3-3-102**
109 **IR3-3-103**
110 **IR3-3-201**
111 **IR3-4-101**
112 **IR3-4-102**
113 **IR3-4-103**
114 **IR3-4-104**
115 **IR3-4-105**
116 **IR3-4-201**
117 **IR3-4-202**

118

119 *Be it resolved by the Legislature of the state of Utah:*

120 Section 1. **JR1-1-102** is amended to read:

121 **JR1-1-102. Adoption of legislative rules.**

122 (1) (a) At the beginning of each legislative session, the Legislature shall adopt Joint
123 Rules [~~and the Interim Rules~~] by a constitutional two-thirds vote of all senators and
124 representatives.

(b) Except as provided in Subsection (1)(c), after the initial adoption of Joint [~~and Interim~~] Rules, the Legislature may adopt additional Joint [~~and Interim~~] Rules or amend or repeal existing Joint [~~or Interim~~] Rules by a constitutional majority vote.

(c) The Legislature may adopt or amend a Joint [~~or Interim Rule~~] Rule that includes a voting requirement of more than a constitutional majority only by a constitutional two-thirds vote of all senators and representatives.

(2) The Senate and House Rules Committees shall:

(a) meet before each annual general session of the Legislature convenes;

(b) review Joint Rules [~~and Interim Rules~~]; and

(c) recommend to the Legislature any modifications that they consider necessary.

Section 2. **JR4-2-102** is amended to read:

JR4-2-102. Drafting and prioritizing legislation.

(1) As used in this section, "interim committee" means a committee established under [~~HR1-1-201~~] JR7-1-201.

(2) (a) Requests for legislation shall be drafted on a first-in, first-out basis, except for legislation that is prioritized under the provisions of this section.

(b) [~~The~~] When sufficient drafting information is available, the following requests for legislation shall be drafted before other requests for legislation [~~when sufficient drafting information or sponsor instruction is available~~], in the following order of priority:

(i) a committee bill file, as defined in JR7-1-101; and

[~~(i)~~] (ii) a request for legislation that is prioritized by a legislator under Subsection (3); ~~and~~].

[~~(ii)~~ a request for legislation that is adopted as a committee bill by an interim committee as follows:]

[~~(A)~~ a member of the interim committee makes a motion to open a new request for legislation to be sponsored by the committee or to convert an existing request for legislation to committee-sponsored legislation;]

[~~(B)~~ the interim committee adopts the motion by a majority vote after a description or discussion of the general subject matter of the legislation;]

[~~(C)~~ the subject matter of the legislation is germane to the oversight assignment of the interim committee; and]

156 ~~[(D) the interim committee intends to take action on the legislation in a meeting of the~~
157 ~~committee held before the next general session.]~~

158 ~~[(c) (i) Except as permitted under IR2-2-103(3), the committee may not delegate the~~
159 ~~authority to designate committee bills on behalf of an interim committee under Subsection~~
160 ~~(2)(b)(ii) to committee chairs or any other subset of the membership of an interim committee.]~~

161 ~~[(ii) During the interim, the drafting of committee bills that are adopted under~~
162 ~~Subsection (2)(b)(ii), and for which sufficient drafting information is available, shall take~~
163 ~~precedence in drafting priority over bills that have been prioritized by an individual legislator~~
164 ~~under Subsection (2)(b)(i).]~~

165 (3) (a) Beginning on the first day on which a request for legislation may be filed under
166 JR4-2-101, a legislator may designate up to three requests for legislation as priority requests
167 subject to the following deadlines:

168 (i) priority request number one must be requested on or before the first Thursday in
169 December, or the following business day if the first Thursday falls on a holiday;

170 (ii) priority request number two must be requested on or before the first Thursday in
171 January, or the following business day if the first Thursday falls on a holiday; and

172 (iii) priority request number three must be requested on or before the first Thursday of
173 the annual general session.

174 (b) A legislator who fails to make a priority request on or before a deadline loses that
175 priority request. However, the legislator is not prohibited from using any remaining priority
176 requests that are associated with a later deadline, if available.

177 (c) A legislator who begins serving after a deadline has passed is entitled to use only
178 those priority requests that are available under an unexpired deadline.

179 (d) A legislator may not designate a request for legislation as a priority request unless
180 the request:

181 (i) provides specific or conceptual information concerning the change or addition to
182 law or policy that the legislator intends the proposed legislation to make; or

183 (ii) identifies the specific situation or concern that the legislator intends the legislation
184 to address.

185 (4) A legislator may not:

186 (a) revoke a priority designation once it has been requested;

(b) transfer a priority designation to a different request for legislation; or

(c) transfer a priority designation to another legislator.

(5) Except as provided under JR4-2-502 or as otherwise provided in these rules, the Office of Legislative Research and General Counsel shall:

(a) reserve as many bill numbers as necessary to number the bills recommended by an interim committee; and

(b) number all other legislation in the order in which the legislation is approved by the sponsor for numbering.

Section 3. **JR7-1-101** is enacted to read:

TITLE 7. INTERIM

CHAPTER 1. INTERIM AND SPECIAL COMMITTEES

Part 1. General Provisions

JR7-1-101. Definitions.

(1) "Anchor location" means the physical location from which:

(a) an electronic meeting originates; or

(b) the participants are connected.

(2) "Bill" means the same as that term is defined in JR4-1-101.

(3) "Chair" except as otherwise expressly provided, means:

(a) the member of the Senate appointed as chair of an interim committee by the president of the Senate under JR7-1-202;

(b) the member of the House of Representatives appointed as chair of an interim committee by the speaker of the House of Representatives under JR7-1-202;

(c) a member of a special committee appointed as chair of the special committee; or

(d) a member of a legislative committee designated by the chair of the legislative committee under Subsection (3)(a), (b), or (c) to act as chair under JR7-1-202.

(4) "Committee bill" means draft legislation that receives a favorable recommendation.

(5) "Committee bill file" means a request for legislation made by:

(a) a majority vote of a legislative committee; or

(b) the chairs of an interim committee, if the interim committee authorizes the chairs to open one or more committee bill files in accordance with JR7-1-602.

(6) "Committee note" means a note that the Office of Legislative Research and General

218 Counsel places on legislation in accordance with JR4-2-401.

219 (7) "Draft legislation" means a draft of a bill or resolution before it is numbered by the
220 Office of Legislative Research and General Counsel.

221 (8) "Electronic meeting" means a public meeting of a legislative committee that is
222 partially convened or conducted by means of a voice telephone or computer web or video
223 conference.

224 (9) "Electronic notice" means electronic mail or fax.

225 (10) "Favorable recommendation" means an action of a legislative committee by
226 majority vote to favorably recommend legislation.

227 (11) "Legislative committee" means:

228 (a) an interim committee; or

229 (b) a special committee.

230 (12) "Interim committee" means a committee created under JR7-1-201.

231 (13) "Legislative sponsor" means:

232 (a) for a committee bill file, the chairs of the legislative committee that opened the
233 committee bill file or the chairs' designee; or

234 (b) for a request for legislation that is not a committee bill file, the legislator who
235 requested the request for legislation or the legislator's designee.

236 (14) "Majority vote" means:

237 (a) with respect to an interim committee, an affirmative vote of at least 50% of a
238 quorum of members of the interim committee from one chamber and more than 50% of a
239 quorum of members of the interim committee from the other chamber; or

240 (b) with respect to a special committee, an affirmative vote of more than 50% of a
241 quorum.

242 (15) "Mixed special committee" means a special committee that is composed of one or
243 more members who are legislators and one or more members who are not legislators.

244 (16) "Monitor" means to:

245 (i) hear live, by speaker, or by other equipment, all of the public statements of each
246 member of the legislative committee who is participating in a meeting; or

247 (ii) see and hear, by computer screen or other visual medium, all of the public
248 statements of each member of the legislative committee who is participating in a meeting.

(17) "Original motion" means a nonprivileged motion that is accepted by the chair when no other motion is pending.

(18) "Participate" means the ability to communicate with all of the members of a legislative committee, either verbally or electronically, so that each member of the legislative committee can hear or see the communication.

(19) "Pending motion" means a motion described in JR7-1-307.

(20) "Privileged motion" means a motion to adjourn, set a time to adjourn, recess, end debate, extend debate, or limit debate.

(21) "Public statement" means a statement made in the ordinary course of business of a legislative committee with the intent that all other members of the legislative committee receive it.

(22) "Remote location" means a location other than the anchor location from which a member of a legislative committee may participate in the meeting.

(23) "Request for legislation" means the same as that term is defined in JR4-1-101.

(24) "Resolution" means the same as that term is defined in JR4-1-101.

(25) (a) "Special committee" means a committee, commission, or task force that is:

(i) created by legislation; and

(ii) staffed by:

(A) the Office of Legislative Research and General Counsel; or

(B) the Office of the Legislative Fiscal Analyst.

(b) "Special committee" does not include:

(i) an interim committee;

(ii) a standing committee created under SR3-2-201 or HR3-2-201; or

(iii) a Senate confirmation committee described in SR3-3-101 or SR3-3-201.

(26) "Subcommittee" means a subsidiary unit of a legislative committee formed in accordance with JR7-1-411.

(27) "Substitute motion" means a nonprivileged motion that a member of a legislative committee makes when there is a nonprivileged motion pending.

Section 4. **JR7-1-102** is enacted to read:

JR7-1-102. Application of rules for special committees -- Priority in the event of conflict.

If a provision of this chapter conflicts with a provision in legislation or rule that is specific to a special committee, the provision in the legislation or rule that is specific to the special committee controls.

Section 5. **JR7-1-201** is enacted to read:

Part 2. Creation and Organization of Legislative Committees

JR7-1-201. Interim committees -- Creation.

There are created the following interim committees:

- (1) Business and Labor Interim Committee;
- (2) Economic Development and Workforce Services Interim Committee;
- (3) Education Interim Committee;
- (4) Government Operations Interim Committee;
- (5) Health and Human Services Interim Committee;
- (6) Judiciary Interim Committee;
- (7) Law Enforcement and Criminal Justice Interim Committee;
- (8) Natural Resources, Agriculture, and Environment Interim Committee;
- (9) Political Subdivisions Interim Committee;
- (10) Public Utilities, Energy, and Technology Interim Committee;
- (11) Retirement and Independent Entities Interim Committee;
- (12) Revenue and Taxation Interim Committee; and
- (13) Transportation Interim Committee.

Section 6. **JR7-1-202** is enacted to read:

JR7-1-202. President and speaker to appoint legislative committee members and chairs.

- (1) The president of the Senate shall appoint:
 - (a) one or more senators to each legislative committee; and
 - (b) one senator to serve as a chair of each legislative committee.
- (2) The speaker of the House of Representatives shall appoint:
 - (a) one or more representatives to each legislative committee; and
 - (b) one representative to serve as a chair under each legislative committee.
- (3) A chair may designate a member of the legislative committee to act as a chair for all or part of a legislative committee meeting if neither chair is present at the meeting.

Section 7. **JR7-1-203** is enacted to read:

JR7-1-203. Quorum requirements.

(1) Except as provided in Subsection (2) and subject to the other provisions of this rule, a quorum of a legislative committee:

(a) is at least 50% of the members of the legislative committee from one chamber and more than 50% of the members of the legislative committee from the other chamber; and

(b) notwithstanding Subsection (2) or (3), shall include at least one member of the legislative committee from the Senate.

(2) A quorum of a mixed special committee is:

(a) at least 50% of the legislator members of the mixed special committee from one chamber and more than 50% of the legislator members of the mixed special committee from the other chamber; and

(b) more than 50% of the nonlegislator members of the mixed special committee.

(3) If a member of a legislative committee does not attend two consecutive meetings of the legislative committee in a calendar year, the member is not counted for purposes of determining a quorum for the remainder of the calendar year, unless the member is present at the meeting when the action requiring a quorum occurs.

(4) The following individuals are not counted for purposes of determining a quorum, unless the member is present at the legislative committee meeting when the action requiring a quorum occurs:

(a) a member of the Legislative Management Committee;

(b) the Senate chair and vice chair of the Executive Appropriations Committee;

(c) the House chair and vice chair of the Executive Appropriations Committee;

(d) the chair of the Senate Rules Committee;

(e) the chair of the House Rules Committee;

(f) the fourth member of leadership from the minority party in the Senate; and

(g) the fourth member of leadership from the minority party in the House of Representatives.

Section 8. **JR7-1-204** is enacted to read:

JR7-1-204. Committee order of business.

Unless a chair, or the legislative committee by majority vote, determines otherwise, the

order of business for a legislative committee is:

(1) call to order;

(2) approval of the minutes of the immediately preceding meeting;

(3) brief description of each item on the agenda;

(4) announcement of any time restrictions, subject to JR7-1-305;

(5) consideration of legislative committee business for the meeting; and

(6) adjournment.

Section 9. **JR7-1-301** is enacted to read:

Part 3. Duties of Legislative Committee Chairs

JR7-1-301. Chairs to enforce legislative rules and procedures.

Each chair is responsible for ensuring the integrity of the committee process by enforcing legislative rules and parliamentary procedure without delay.

Section 10. **JR7-1-302** is enacted to read:

JR7-1-302. Chairs to preserve order -- Powers to preserve order.

(1) A chair shall preserve order and decorum during a meeting of the legislative committee by:

(a) controlling outbursts or demonstrations; and

(b) ensuring that each legislative committee member, presenter, witness, or visitor acts in a dignified and respectful manner.

(2) To preserve order and decorum, a chair may:

(a) remove from the meeting room any individual who engages in disorderly conduct;

(b) recess a meeting of the legislative committee; or

(c) request assistance from the Utah Highway Patrol.

Section 11. **JR7-1-303** is enacted to read:

JR7-1-303. Chairs to set agenda.

Subject to the other provisions of this chapter, including JR7-1-401 and JR7-1-402, the agenda for a legislative committee meeting shall be set by the chairs of the legislative committee.

Section 12. **JR7-1-304** is enacted to read:

JR7-1-304. Chairs to post notice and agenda.

The chairs of each legislative committee shall cause a public notice and agenda for each

meeting of the legislative committee to be posted at least 24 hours before the meeting as required by Utah Code, Title 52, Chapter 4, Open and Public Meetings Act.

Section 13. **JR7-1-305** is enacted to read:

JR7-1-305. Chairs may direct order of agenda -- Time restrictions.

A chair, or a legislative committee by majority vote, may adopt one or more committee procedures or time restrictions related to the manner in which the legislative committee hears the items on an agenda, including:

(1) directing the order of the agenda;

(2) directing the order in which the legislative committee hears a witness or presenter;

(3) directing the number of witnesses or presenters that the legislative committee hears;

or

(4) limiting the time the legislative committee spends:

(a) on an item on an agenda; or

(b) hearing from a witness or presenter.

Section 14. **JR7-1-306** is enacted to read:

JR7-1-306. Chairs to recognize committee members.

A chair shall recognize any member of the legislative committee who desires to speak on a subject that is under consideration by the legislative committee.

Section 15. **JR7-1-307** is enacted to read:

JR7-1-307. Chairs to accept all motions that are in order.

(1) A chair shall accept any motion made by a member of the legislative committee who the chair has recognized, unless the motion is prohibited by this chapter.

(2) To accept a motion, the chair shall restate the motion.

(3) If a chair accepts a motion, the motion is pending.

Section 16. **JR7-1-308** is enacted to read:

JR7-1-308. Chairs to allow response to motions before placing motions for a vote.

After a chair accepts a motion and before the chair places the motion for a vote, the chair shall allow:

(1) any member of the legislative committee to ask one or more questions about the motion of the member who made the motion;

(2) members of the legislative committee to debate the motion;

(3) if the legislative committee is considering draft legislation, the legislative sponsor to respond to the motion; and

(4) the member of the legislative committee who made the motion to provide a summation on the motion.

Section 17. **JR7-1-309** is enacted to read:

JR7-1-309. Chairs to place motions for vote.

Unless withdrawn in accordance with JR7-1-508, the chair shall place a pending motion for a vote after the member of the legislative committee who made the motion provides a summation on the motion or waives the opportunity to provide a summation on the motion.

Section 18. **JR7-1-310** is enacted to read:

JR7-1-310. Chairs to verbally announce vote on motions -- Motions pass with majority vote.

After a legislative committee votes on a motion, the chair shall:

(1) determine and verbally announce whether the motion passed or failed; and

(2) unless the vote on the motion is unanimous, verbally identify by name each committee member who voted "yes" or each committee member who voted "no."

Section 19. **JR7-1-311** is enacted to read:

JR7-1-311. Chairs may direct a roll call vote.

A chair, or the legislative committee by majority vote, may require a roll call vote.

Section 20. **JR7-1-312** is enacted to read:

JR7-1-312. Chairs to ensure integrity of minutes -- Retention of minutes -- Content requirements.

(1) Each chair shall:

(a) cause a draft of the minutes of the chair's legislative committee to be available for each member of the legislative committee to review before the legislative committee approves the minutes; and

(b) ensure that the minutes of each meeting of the legislative committee include:

(i) each item required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and

(ii) each motion, point of order, or appeal of a decision on a point of order.

(2) The Office of Legislative Research and General Counsel shall retain a physical or electronic copy of the minutes for each meeting of a legislative committee for three years.

Section 21. **JR7-1-401** is enacted to read:

Part 4. Powers and Duties of Legislative Committees

JR7-1-401. Interim committees to receive study assignments.

(1) Each interim committee shall:

(a) study issues assigned:

(i) by passed legislation; or

(ii) the Legislative Management Committee; and

(b) review programs and hear reports as required by statute.

(2) Each interim committee may:

(a) investigate and study possibilities for improvement in government services within its subject area;

(b) receive research reports from interim committee staff pertaining to the interim committee's study agenda;

(c) request testimony from government officials, private organizations, or members of the public on issues being studied by the interim committee;

(d) make recommendations to the Legislature for legislative action; or

(e) prepare one or more committee bills based on the interim committee's studies.

(3) During the interim committee's first meeting of each calendar year, the interim committee:

(a) shall review the interim committee's study items described in Subsection (1)(a);

(b) may, by majority vote, modify or add to the study items described in Subsection (1)(a), provided any modification or addition is within the interim committee's subject area;
and

(c) shall adopt the study items described in Subsection (1)(a), with any modifications or additions, by majority vote.

Section 22. **JR7-1-402** is enacted to read:

JR7-1-402. Review of audit reports.

If a legislative committee receives an audit report from the Audit Subcommittee of the Legislative Management Committee for review, the legislative committee shall:

- 465 (1) review the audit report and make an affirmative decision whether each
466 recommendation in the audit report should be implemented;
467 (2) if necessary, open a committee bill file to implement any recommendation the
468 legislative committee recommends the Legislature implement; and
469 (3) recommend an appropriation to the Executive Appropriations Committee, if
470 appropriate.

471 Section 23. **JR7-1-403** is enacted to read:

472 **JR7-1-403. Review rules referred by Administrative Rules Review Committee.**

473 If a legislative committee receives an administrative rule for review from the
474 Administrative Rules Review Committee, the legislative committee may:

- 475 (1) review the administrative rule; and
476 (2) (a) recommend to the Administrative Rules Review Committee whether the
477 Legislature should reauthorize the administrative rule; or
478 (b) decide whether to recommend any related statutory change to the Legislature.

479 Section 24. **JR7-1-404** is enacted to read:

480 **JR7-1-404. Location of interim committee meetings -- Additional meetings.**

- 481 (1) Unless approved by the Legislative Management Committee, an interim committee
482 shall meet at the time and in the room assigned by the Legislative Management Committee.
483 (2) Notwithstanding Subsection (1), a chair of an interim committee may start a
484 meeting of the interim committee earlier or end a meeting of the interim committee later than
485 the time assigned by the Legislative Management Committee if:

- 486 (a) the chair complies with:
487 (i) Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
488 (ii) JR7-1-405; and
489 (b) the meeting does not interfere with a caucus meeting.

490 Section 25. **JR7-1-405** is enacted to read:

491 **JR7-1-405. Prohibited meeting times -- Exceptions.**

- 492 (1) A legislative committee may not meet:
493 (a) while the Senate or the House of Representatives is in session, unless the meeting is
494 approved by:
495 (i) the president of the Senate and the speaker of the House of Representatives; or

496 (ii) (A) a majority vote of the Senate; and

497 (B) a majority vote of the House of Representatives; or

498 (b) except as provided in Subsection (2), during the period that begins January 1 and
499 ends the day after the day on which the Legislature adjourns that year's general session sine die.

500 (2) Subsection (1)(b) does not apply to:

501 (a) a meeting of the Administrative Rules Review Committee for the purpose of
502 considering draft legislation reauthorizing agency rules in accordance with Utah Code Section
503 63G-3-502; or

504 (b) the Legislative Process Committee.

505 (3) An action of a legislative committee that occurs during a meeting that violates this
506 rule is invalid.

507 Section 26. **JR7-1-406** is enacted to read:

508 **JR7-1-406. Closed legislative committee meetings.**

509 A meeting of a legislative committee is open to the public unless closed in accordance
510 with Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

511 Section 27. **JR7-1-407** is enacted to read:

512 **JR7-1-407. Electronic legislative committee meetings.**

513 (1) A chair may, by following the procedures and requirements of this rule, convene
514 and conduct an electronic meeting of a legislative committee.

515 (2) (a) A member of a legislative committee who will be more than 50 miles away
516 from the anchor location on the day and at the time of a scheduled meeting of the legislative
517 committee may request that the chair allow the member to participate from a remote location.

518 (b) If a member of a legislative committee wishes to participate in a meeting of the
519 legislative committee from a remote location, the member shall, at least three days before the
520 meeting, contact the chair and request that the chair convene and conduct an electronic
521 meeting.

522 (c) After receiving the request, the chair shall:

523 (i) determine whether the member will be more than 50 miles away from the anchor
524 location on the day and at the time of the scheduled meeting;

525 (ii) if chair determines that the member will be more than 50 miles away from the
526 anchor location on that day and time, consult with committee staff to determine whether there

are sufficient equipment and connections to allow the member to participate from a remote location; and

(iii) obtain permission from the president of the Senate and the speaker of the House of Representatives to conduct an electronic meeting.

(d) If the requirements of Subsection (2)(c) are satisfied, the chair may grant the member's request to participate from a remote location.

(3) A chair convening or conducting an electronic meeting shall, if necessary, establish and communicate protocols and procedures governing the electronic meeting to ensure order and fair opportunities for all members of the legislative committee to participate.

(4) A chair convening or conducting an electronic meeting shall ensure that:

(a) public notice of the meeting, as required by Utah Code Section 52-4-202, is given including posting written notice at the anchor location; and

(b) notice of the electronic meeting describing how the members will be connected to the electronic meeting is given to each member of the legislative committee at least 24 hours before the meeting.

(5) A member of a legislative committee participating from a remote location is included in calculating a quorum and may vote.

Section 28. **JR7-1-408** is enacted to read:

JR7-1-408. Testimony may be taken under oath.

(1) At the direction of a chair of the legislative committee, or upon majority vote of the legislative committee, a legislative committee may take the testimony of a witness, presenter, or visitor under oath.

(2) A chair of the legislative committee or committee staff shall administer the oath.

Section 29. **JR7-1-409** is enacted to read:

JR7-1-409. Subpoena powers.

A chair may subpoena testimony or documents in accordance with Utah Code Title 36, Chapter 14, Legislative Subpoena Powers.

Section 30. **JR7-1-410** is enacted to read:

JR7-1-410. Right of legislators to attend legislative committee meetings.

(1) Any member of the Legislature may:

(a) attend any meeting of a legislative committee or a subcommittee, unless the

558 meeting is closed in accordance with Utah Code Title 52, Chapter 4, Open and Public Meetings
559 Act; and

560 (b) if recognized by the chair, present the legislator's views on the subject under
561 consideration.

562 (2) A legislator who attends a meeting of a legislative committee of which the
563 legislator is not a member or a meeting of a subcommittee of which the legislator is not a
564 member may not:

565 (a) make a motion;

566 (b) vote; or

567 (c) receive compensation for attending the meeting, unless approved by the Legislative
568 Expenses Oversight Committee for the chamber of which the legislator is a member.

569 Section 31. **JR7-1-411** is enacted to read:

570 **JR7-1-411. Creation and organization of subcommittees.**

571 (1) A legislative committee may establish one or more subcommittees if approved by:

572 (a) a majority vote of the legislative committee; and

573 (b) the Legislative Management Committee.

574 (2) The legislative committee shall establish each study assignment of a subcommittee
575 by majority vote.

576 (3) After a legislative committee establishes a subcommittee, the chairs of the
577 legislative committee shall:

578 (a) appoint at least four members of the legislative committee to serve on the
579 subcommittee;

580 (b) appoint at least one and no more than two additional members of the legislative
581 committee as chair or cochairs of the subcommittee; and

582 (c) establish the subcommittee's powers, duties, and reporting requirements.

583 (4) Each member of a subcommittee shall receive compensation and expenses.

584 Section 32. **JR7-1-501** is enacted to read:

585 **Part 5. Legislative committee Parliamentary Procedures**

586 **JR7-1-501. Obtaining the floor in legislative committee meeting -- Remarks to be**
587 **germane.**

588 (1) An individual may not speak to a legislative committee unless recognized by the

589 chair.

590 (2) In accordance with JR7-1-306, the chair shall recognize a member of a legislative
591 committee who requests to speak to the legislative committee.

592 (3) After the chair recognizes a member of an the legislative committee, the member:

593 (a) shall ensure that the member's remarks are germane to the subject under
594 consideration; and

595 (b) may make a motion consistent with the requirements of this chapter.

596 Section 33. **JR7-1-502** is enacted to read:

597 **JR7-1-502. Members shall vote when present.**

598 Each member of a legislative committee who is present when the legislative committee
599 votes on a motion shall vote on the motion.

600 Section 34. **JR7-1-503** is enacted to read:

601 **JR7-1-503. Privileged motions -- General requirements, procedures, and priority.**

602 (1) A privileged motion:

603 (a) is nondebatable; and

604 (b) takes precedence over a nonprivileged motion.

605 (2) If a member of a legislative committee makes a privileged motion while another
606 privileged motion is pending, the chair shall place the motions in the following order:

607 (a) adjourn;

608 (b) set a time to adjourn;

609 (c) recess;

610 (d) end debate or call the question;

611 (e) extend debate; and

612 (f) limit debate.

613 (3) Except for a motion to adjourn, a privileged motion, if approved, does not dispose
614 of any other pending motion.

615 Section 35. **JR7-1-504** is enacted to read:

616 **JR7-1-504. Original motions -- General requirements and procedures.**

617 (1) An original motion:

618 (a) is debatable; and

619 (b) may be replaced with a substitute motion.

620 (2) A member of a legislative committee may not make an original motion if:

621 (a) a privileged motion is pending; or

622 (b) a substitute motion is pending.

623 Section 36. **JR7-1-505** is enacted to read:

624 **JR7-1-505. Substitute motions -- General requirements and procedures.**

625 (1) A substitute motion:

626 (a) is debatable; and

627 (b) takes precedence over an original motion.

628 (2) A member of a legislative committee may not make a substitute motion if:

629 (a) a privileged motion is pending; or

630 (b) another substitute motion is pending.

631 (3) If a substitute motion is adopted, the adoption disposes of the original motion.

632 (4) If a substitute motion is not adopted, the original motion is pending.

633 Section 37. **JR7-1-506** is enacted to read:

634 **JR7-1-506. Reconsideration of action.**

635 (1) Except as provided in Subsection (2), a member of a legislative committee may
636 make a motion to reconsider an action of the legislative committee if:

637 (a) the issue or draft legislation that is the subject of the action being reconsidered is on
638 the legislative committee's agenda as required by Utah Code Title 52, Chapter 4, Open and
639 Public Meetings Act; and

640 (b) the legislative committee considered other business after the legislative committee
641 voted to take the action that is being reconsidered.

642 (2) A legislative committee may not reconsider an action more than once.

643 Section 38. **JR7-1-507** is enacted to read:

644 **JR7-1-507. Repeating a defeated motion.**

645 If a legislative committee defeats a motion made by a member of the legislative
646 committee, a member of the legislative committee may not make the motion again until the
647 legislative committee considers other committee business.

648 Section 39. **JR7-1-508** is enacted to read:

649 **JR7-1-508. Withdrawing a motion.**

A member of a legislative committee who makes a motion may withdraw the motion at any time before the motion is placed for a vote.

Section 40. **JR7-1-509** is enacted to read:

JR7-1-509. Point of order -- Appeal of chair's decision.

(1) (a) If a member of a legislative committee is concerned that the chair is not following or enforcing legislative rule or procedure, the member may make a point of order.

(b) A point of order is not a motion.

(2) Except during a vote, a member of a legislative committee may make a point of order at any time during a meeting of the legislative committee without recognition by the chair.

(3) If a member of a legislative committee makes a point of order, the chair shall:

(a) immediately allow the member to state the member's point of order; and

(b) rule on the point of order without discussion or debate.

(4) (a) A member of the legislative committee may appeal the chair's ruling on a point of order.

(b) An appeal of the chair's ruling on a point of order is not a motion.

(5) Except during a vote, a member of a legislative committee may appeal the chair's ruling on a point of order at any time during a meeting of the legislative committee without recognition by the chair.

(6) (a) If a member of the legislative committee appeals the chair's ruling on a point of order, the chair shall place a vote asking the members of the legislative committee whether to override the chair's ruling on the point of order.

(b) The legislative committee may overrule the chair's ruling by a majority vote.

(7) (a) If the legislative committee overrides the chair's ruling, the ruling of the legislative committee is final.

(b) If the legislative committee does not override the chair's ruling, the ruling of the chair is final.

Section 41. **JR7-1-510** is enacted to read:

JR7-1-510. Point of information.

(1) (a) If a member of a legislative committee desires clarification on any aspect of a legislative committee meeting, the member may make a point of information.

681 (b) A point of information is not a motion.

682 (2) Except during a vote, a member of a legislative committee may make a point of
683 information at any time during a meeting of the legislative committee.

684 (3) If a member of a legislative committee makes a point of information, the chair shall
685 immediately allow the member to state the member's point of information.

686 Section 42. **JR7-1-511** is enacted to read:

687 **JR7-1-511. Division of a motion.**

688 (1) (a) Except during a vote, a member of a legislative committee may request division
689 of a motion at any time during a meeting of the legislative committee without being recognized
690 by the chair.

691 (b) A request for division is not a motion.

692 (2) If a member of a legislative committee requests division of a motion:

693 (a) the member shall clearly state how the motion is to be divided;

694 (b) the chair shall:

695 (i) restate how the motion is to be divided; and

696 (ii) place each motion that results from the divided motion.

697 (3) A member of a legislative committee may not divide a motion to amend draft
698 legislation if the division could create an unintelligible or ambiguous result.

699 Section 43. **JR7-1-512** is enacted to read:

700 **JR7-1-512. Prohibited motions and requests.**

701 (1) (a) Except a motion to adjourn, a member of a legislative committee may not make
702 a motion unless a quorum of the legislative committee is present.

703 (b) If a member of a legislative committee makes a motion to adjourn when a quorum
704 of the legislative committee is not present, the motion passes by an affirmative vote of a
705 majority of the legislative committee members present.

706 (2) The following are not in order during a vote:

707 (a) a motion;

708 (b) a point of order;

709 (c) a point of information; or

710 (d) a request for division.

711 (3) A member of a legislative committee may not make a motion to favorably

recommend draft legislation unless the legislation is drafted and distributed to the members of the legislative committee.

Section 44. **JR7-1-601** is enacted to read:

Part 6. Draft Legislation

JR7-1-601. Opening committee bill files.

(1) Except as provided in Subsection (3), a member of a legislative committee may make a motion to open a committee bill file if:

(a) the member describes the general subject matter of the legislation;

(b) the subject matter is germane to the subject matter over which the legislative committee has jurisdiction; and

(c) the member intends that the legislative committee take action on the resulting draft legislation before the next general session in a meeting of the legislative committee.

(2) Except as provided in JR7-1-602, a legislative committee may not authorize any individual or group of individuals to open a committee bill file.

(3) A legislative committee may not open a committee bill file during the period that begins January 1 and ends the day after the day on which the Legislature adjourns that year's general session sine die.

Section 45. **JR7-1-602** is enacted to read:

JR7-1-602. Interim committee chairs' authority to open committee bill files.

During an interim committee's first meeting of a calendar year, the interim committee may, by motion and majority vote, authorize the chairs to do one of the following:

(1) open one or more committee bill files related to any study item adopted by the interim committee under JR7-1-401(3), as the chairs deem necessary; or

(2) open one or more committee bill files related to one or more study items that are:

(a) adopted by the interim committee under JR7-1-401(3); and

(b) specified in the motion.

Section 46. **JR7-1-603** is enacted to read:

JR7-1-603. Four phases when considering draft legislation -- Exception.

(1) Subject to Subsection (2), a legislative committee shall consider draft legislation in the following four phases:

(a) the presentation phase as described in JR7-1-604;

(b) the clarifying questions phase as described in JR7-1-605;

(c) the public comment phase as described in JR7-1-606; and

(d) the legislative committee action phase as described in JR7-1-607.

(2) The chair, or the legislative committee by majority vote, may elect to have the legislative committee consider draft legislation in a manner different from the four phases described in this part.

Section 47. **JR7-1-604** is enacted to read:

JR7-1-604. Presentation phase.

(1) During the presentation phase:

(a) the chair shall permit the legislative sponsor of the draft legislation to present the draft legislation to the legislative committee; and

(b) a member of the legislative committee may not make a motion to amend the draft legislation or dispose of the draft legislation.

(2) At the election of the legislative sponsor, the chair shall allow another individual to assist with the legislative sponsor's presentation if the individual has expertise related to the draft legislation.

Section 48. **JR7-1-605** is enacted to read:

JR7-1-605. Clarifying questions phase.

(1) During the clarifying questions phase:

(a) the chair shall allow members of the legislative committee to ask the legislative sponsor questions to help clarify:

(i) the intent or purpose of the draft legislation; or

(ii) the meaning of the language of the draft legislation; and

(b) a member of the legislative committee may not make a motion to amend the draft legislation or dispose of the draft legislation.

(2) The chair shall allow the legislative sponsor to respond to any clarifying question from a member of the legislative committee.

Section 49. **JR7-1-606** is enacted to read:

JR7-1-606. Public comment phase.

(1) Except as otherwise provided in this rule, during the public comment phase:

(a) the chair shall take comment from one or more members of the public; and

(b) a member of the legislative committee may not make a motion to amend the draft legislation or dispose of the draft legislation.

(2) The chair, or the legislative committee by majority vote, may preclude or terminate the public comment phase.

Section 50. **JR7-1-607** is enacted to read:

JR7-1-607. Committee action phase.

During the committee action phase, a member of the legislative committee may make a motion authorized by this chapter, including a motion to amend the draft legislation or favorably recommend the draft legislation.

Section 51. **JR7-1-608** is enacted to read:

JR7-1-608. Motions related to draft legislation.

A legislative committee may approve one or more of the following motions with respect to draft legislation it considers:

(1) move to the next item on the agenda;

(2) amend the draft legislation, subject to the requirements of JR7-1-609; or

(3) favorably recommend the draft legislation as a committee bill.

Section 52. **JR7-1-609** is enacted to read:

JR7-1-609. Amending draft legislation -- Verbal amendments -- Amendments must be germane.

(1) Subject to Subsection (2), when timely and when recognized by the chair, a member of a legislative committee may make a motion to amend the draft legislation under consideration.

(2) (a) A member of the legislative committee may make a motion to amend the draft legislation only if the subject of the proposed amendment is germane to the subject of the draft legislation.

(b) If a member of the legislative committee believes a proposed amendment is not germane to the subject of the draft legislation, the member may make a point of order in accordance with JR7-1-509.

(3) During a legislative committee's last meeting before the start of a general session, a member of the legislative committee may make a motion for a verbal amendment only if the verbal amendment is sufficiently clear to allow the members of the legislative committee to

805 know how the draft legislation will read when the verbal amendment is incorporated into the
806 draft legislation.

807 Section 53. **JR7-1-610** is enacted to read:

808 **JR7-1-610. Committee bill files -- Effect of favorable recommendation --**
809 **Committee bill files without recommendation abandoned.**

810 (1) After a legislative committee reviews draft legislation the legislative committee
811 may give the draft legislation a favorable recommendation.

812 (2) If a legislative committee gives draft legislation a favorable recommendation, the
813 Office of Legislative Research and General Counsel shall:

814 (a) attach a committee note to the committee bill, as required under JR4-2-401; and

815 (b) assign the committee bill a bill number in accordance with JR4-2-501.

816 (3) (a) Except as provided in Subsection (3)(b), a committee bill file that does not
817 receive a favorable recommendation before December 31 of the year in which the committee
818 bill file was opened is abandoned.

819 (b) Subsection (3)(a) does not apply to a committee bill file opened by:

820 (i) the Administrative Rules Review Committee for the purpose of reauthorizing
821 agency rules in accordance with Utah Code Section 63G-3-502; or

822 (ii) the Legislative Process Committee.

823 (4) (a) Nothing in this rule prohibits a legislator from making a request for legislation
824 in the legislator's name to sponsor legislation that was abandoned in accordance with
825 Subsection (3).

826 (b) A request for legislation described in Subsection (4)(a) is subject to the drafting
827 priority described in JR4-2-102.

828 Section 54. **JR7-1-611** is enacted to read:

829 **JR7-1-611. Assignment of committee bills -- Report on committee bills and study**
830 **items.**

831 (1) The chairs of each legislative committee shall:

832 (a) assign each of the interim committee's bills a chief sponsor and a floor sponsor
833 from the opposite chamber; and

834 (b) deliver to the Senate Rules Committee and the House Rules Committee a report
835 that includes, for each of the interim committee's committee bills:

(i) the short title;
(ii) the chief sponsor;
(iii) the floor sponsor; and
(iv) how each member of the interim committee voted when the interim committee gave the committee bill a favorable recommendation, including whether a member was absent at the time of the vote.

(2) In addition to the items described in Subsection (1), the chairs of each interim committee shall deliver to the Legislative Management Committee:

(a) a copy of the report described in Subsection (2); and
(b) the disposition of each issue assigned to or studied by the interim committee during the preceding calendar year.

(3) (a) The chairs of an interim committee shall comply with this rule on or before December 15.

(b) The chairs of a special committee shall comply with this rule as soon as practicable.

Section 55. Repealer.

This resolution repeals:

IR1-1-101, Definitions.

IR1-1-201, Interim committees established -- Membership -- Chairs -- Chair duties.

IR1-1-202, Interim committees -- Creation and organization of subcommittees.

IR1-1-203, Special committees -- Creation and organization of subcommittees.

IR2-1-101, Interim committees -- General duties.

IR2-1-102, Favorable recommendation of legislation to the Legislature.

IR2-2-101, Interim committees -- Reviewing audit reports.

IR2-2-102, Interim committees -- Review of rules referred by Administrative Rules Review Committee.

IR2-2-103, Interim committees -- First meeting of interim -- List of study items -- Long-term planning emphasis.

IR2-2-104, Interim committees and task forces -- Recommendation of legislation -- Abandonment and assignment of committee bills.

IR3-1-101, Interim committees -- Joint meetings -- Location of meetings -- Notice

- 867 of meetings.
- 868 IR3-1-102, Rights of members to attend meetings -- Nonmembers of the committee
- 869 or subcommittee may not vote.
- 870 IR3-1-103, Order and decorum -- Points of order.
- 871 IR3-1-104, Visitors.
- 872 IR3-1-105, Electronic meetings.
- 873 IR3-2-101, Quorum requirements.
- 874 IR3-2-102, Voting requirements.
- 875 IR3-2-201, Minutes.
- 876 IR3-3-101, Order of business.
- 877 IR3-3-102, Obtaining the floor in committee -- Remarks to be germane.
- 878 IR3-3-103, Members required to vote.
- 879 IR3-3-201, Public hearings.
- 880 IR3-4-101, Motions to be stated before debate -- Dividing a motion -- Withdrawing
- 881 a motion.
- 882 IR3-4-102, Motions in order during debate.
- 883 IR3-4-103, Motions to be decided without debate.
- 884 IR3-4-104, Substitute motions.
- 885 IR3-4-105, Which motions may be amended (Masons Sec. 396).
- 886 IR3-4-201, Motion to adjourn.
- 887 IR3-4-202, Motion to end debate.